THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17840 of 2006

Dated:28.08.2006

Between:

Nava Bharat Enterprises Ltd.

…Petitioners

and

The Special Officer and Competent Authority, Urban Land Ceiling, Hyderabad, and another.

…Respondents

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WRIT PETITION No.17840 of 2006

ORDER:

The petitioner was declared to be surplus vacant land holder under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act'), by the first respondent vide proceedings dated 16.09.2005. The petitioner filed an appeal under Section 33 of the Act before the second respondent who by an order dated 17.11.2005 ordered *status quo* on condition of the petitioner not raising any constructions and creating any change thereon. The stay order was subsequently extended on 23.03.2006 and 25.04.2006. As there was no further extension, the petitioner made two applications before the second respondent praying for extension of the interim orders. It is alleged that these two applications are not disposed of by the second respondent. Therefore, apprehending that the petitioner might be dispossessed from the land declared surplus, the present Writ Petition is filed.

There is no denial that the applications made by the petitioner for extension of interim orders as well as the appeal filed are still pending. Therefore, this Court is not inclined to exercise the jurisdiction under Article 226 of the Constitution of India at this stage. The petitioner may approach the second respondent again for

extension of interim orders. It shall be open to the second respondent either to dispose of the appeal filed by the petitioner against the order dated 16.09.2005 passed by the first respondent or pass appropriate orders on the applications for extension of interim orders. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

28.08.2006
vs